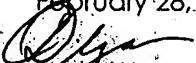


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**

In re Application of French et al. Serial No.: 10/015,967 Filed: December 7, 2001 For: INTERLEUKIN-8 HOMOLOGOUS POLYPEPTIDES AND THERAPEUTIC USES THEREOF	Group Art Unit: 1645 Examiner: Unknown	DEC 09 2003 TECH CENTER 1600/2900
<small>CERTIFICATE OF MAILING</small> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on February 28, 2003  Dilora Haddad		

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

37 CFR §1.97(b)

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR §1.53(d); or
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR§1.491, or
- before the mailing of the first Office action on the merits; or
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR §1.114.

37 CFR §1.97(c)

- by the applicant after the period specified in 37 CFR §1.97(b), but prior to the mailing date of any of a final action under 37 CFR §1.113, or a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR §1.17(p) or a statement as specified in 37 CFR §1.97(e), as checked below.

37 CFR §1.97(d)

- after the period specified in CFR § 1.97(c), and is accompanied by the fee set forth in 37 CFR § 1.17(p) **and** a statement as specified in 37 CFR § 1.97(e), as checked below.

[If either of boxes 37 CFR § 1.97(c) or 37 CFR § 1.97(d) is checked above, the following statement under 37 CFR § 1.97(e) may need to be completed.]

37 CFR §1.97(e) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

37 CFR §1.704(d) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR § 1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR § 1.704.

The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR § 1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) or publication(s) is set forth on the attached revised Form PTO-1449 (Modified). A copy of the items on PTO-1449 is supplied herewith.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached PTO-1449 form are not supplied because they were previously cited by or submitted to the Office in a prior application Serial No. _____, filed _____ and relied upon in this application for an earlier filing date under 35 USC § 120.

[delete BLAST section if not needed, at your discretion] BLAST results enclosed:

The undersigned also wishes to bring to the attention of the Examiner BLAST results of computerized alignments of the _____, i.e.: full length Xyz ligand sequence against sequences contained in the nucleotide and protein databases. The BLAST results are provided in paper form and are identified as reference "BLAST Results A-1- A-(_____: end

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Filed: December 7, 2001

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page #)" (nucleotide) and "BLAST Results B-1 - B-(fill in: end page #)" (protein) on the PTO Form 1449. Applicant requests that these references also be considered and that the Form 1449 be initialed to indicate the Examiner's consideration of the references.

A concise explanation of relevance of the items listed on PTO-1449 is:

[X] not given

[] given for each listed item

[] given for only non-English language listed item(s) [Required]

[] in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR §1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR §1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 for this Information Disclosure Statement, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

By: 
Elizabeth M. Barnes
Reg. No. 35,059
Telephone No. (650) 225-4563

Date: February 28, 2003



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PATENT TRADEMARK OFFICE

FORM PTO-1449 .				U.S. Dept. of Commerce Patent and Trademark Office	Atty Docket No. P1447R1	Serial No. 10/015,967	
LIST OF DISCLOSURES CITED BY APPLICANT (Use several sheets if necessary)				Applicant French et al.			
				Filing Date 07 Dec 2001	Group		
FOREIGN PATENT DOCUMENTS							
Examiner Initials	Document Number	Date	Country		Class	Subclass	Translation Yes No
	94 WO 00/00610	06.01.00	PCT				
	95 WO 00/14226	16.03.00	PCT				
	96 WO 00/55375	21.09.00	PCT				
	97 WO 00/73454 A	07.12.00	PCT				
	98 WO 01/16318 A	08.03.01	PCT				
	99 WO99/63088	09.12.99	PCT				
OTHER DISCLOSURES (Including Author, Title, Date, Pertinent Pages, etc.)							
100	Ashkenazi AJ et al., "Human PRO842 (UNQ473) nucleotide sequence SEQ ID NO:164" DATABASE GENESEO ONLINE (Accession no: AAF44147) (Apr 2, 2001)						
101	Ashkenazi AJ, "Human PRO842 (UNQ473) protein sequence SEQ ID NO: 165." DATABASE GENESEO ONLINE (Accession no: AAB65191)						
102	Baker et al., "Membrane-bound protein PRO842 encoding cDNA" DATABASE GENESEO ONLINE (accession no: AAZ65001) (Apr 5, 2000)						
103	BAKER ET AL., "MEMBRANE-BOUND PROTEIN PRO842" DATABASE GENESEO ONLINE (accession no: AAY66668) (Apr 5, 2000)						
104	Lal P et al., "Human signal peptide containing protein HSPP-94 SEQ ID NO:94" DATABASE GENESEO ONLINE (Accession no: AAY87317) (May 11, 2000)						
105	Lal P et all., "Human signal peptide containing protein HSPP-94 cDNA SEQ ID NO:228" DATABASE GENESEO ONLINE (Accession no:AAZ98202) (May 11, 2000)						
106	VALENZUELA D ET AL., "HUMAN SECRETED PROTEIN ENCODED BY DNA CLONE VQ8 1." DATABASE GENESEO ONLINE (Accession no: AAB34728) (Jan 26, 2001)						
107	Valenzuela D et al., "Human secreted protein encoding DNA clone vq8 1." DATABASE GENESEO ONLINE (Accession no: AAC59829) (Jan 26, 2001)						
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Examiner _____				Date Considered _____			
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							